IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 375 OF 1989

The State of Maharashtra ...Appellant.

V/s

Mohamed Ismail Abdulla
age 53 years,
Resident of Kajipura,
Koth, House No.3412,
District - Nashik. ...Respondent.

Mr. A.M. Shringarpure, APP for the appellant - State.

Mr. Ganesh Gole, advocate appointed for the respondent.

CORAM: V.M.KANADE,J.

DATE: 13th September, 2004

ORAL JUDGMENT:

1. Heard the learned APP appearing on behalf of the appellant - State and the learned advocate for the respondent.

2. Appellant - State is challenging the order passed by the Judicial Magistrate, First Class, Nashik whereby the respondent - accused was acquitted of the offence charged against him under sections 324, 504 and 506 of the I.P.C.

3. Prosecution's case is that the complainant was hit by the respondent - accused on his head and that he

had also insulted the complainant and threatened him of dire consequences.

4. The incident in question took place in 23/01/1987. I have perused the order of the Trial Court. The Trial Court observed that the case of the prosecution is dismissed for want of prosecution as no witnesses are available. There is no reason to interfere with the order after a lapse of 15 years. Appeal against the acquittal is dismissed.

V.M. KANADE, J.